

**RESOLUTION NO. 1
SERIES 2001**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, MAKING FINDINGS OF FACT REGARDING THE ELIGIBILITY FOR ANNEXATION OF THE PROPERTY DESCRIBED IN THE PETITION FOR ANNEXATION FILED WITH THE CITY OF GUNNISON BY GARFIELD INVESTMENTS, INC., L. RICHARD BRATTON, AND DONNA R. BRATTON.

WHEREAS, a petition for annexation was filed with the City of Gunnison by Garfield Investments, Inc., L. Richard Bratton, and Donna R. Bratton, on September 12, 2000, for annexation of 542.92 acres of land to the City of Gunnison; and

WHEREAS, the City Council of the City of Gunnison held a public hearing upon the issue of eligibility of the property described in the petition for annexation on January 9, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, THAT:

Section 1. Findings of Fact. Based upon the Petition for Annexation, the Annexation Impact Report, and the testimony received at the public hearing, the City Council of the City of Gunnison makes the following findings of fact:

A. That not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous to the existing boundaries of the City of Gunnison. The length of the perimeter of the area proposed to be annexed is approximately 28,290.81 feet, of which approximately 5,039.52 feet are contiguous to the City of Gunnison boundary, which is greater than the one-sixth contiguity requirement of 4,715.14 feet.

B. That based upon the contiguity of the area proposed to be annexed to the City of Gunnison and the land use plan submitted for the area, a community of interest exists between the area proposed to be annexed and the City of Gunnison. The area proposed to be annexed will be urbanized in the near future and is capable of being integrated into the City of Gunnison.

C. That the petition for annexation has been executed and consented to by the owners of 100 per cent of the area proposed to be annexed.

D. That no part of the area proposed to be annexed to the City of Gunnison is the subject of annexation proceedings to any other municipality.

E. That the annexation, as proposed, will not result in the detachment of area from any school district and attachment of the area to another school district.

F. That the annexation, as proposed, will not result in the extension of the boundaries of the City of Gunnison more than three miles in any direction in one year.

Section 2. Conclusions. Based upon the findings of fact contained herein, the City Council of the City of Gunnison concludes that:

A. The applicable requirements of Sections 31-12-104 and 31-12-105, Colorado Revised Statutes, have been met, and the area described in the petition is eligible for annexation to the City of Gunnison.

B. An election upon the proposed annexation is not required under Section 31-12-107 (2), Colorado Revised Statutes.

Section 3. Additional Conditions Imposed. The City Council of the City of Gunnison hereby determines that additional conditions shall be imposed upon the annexation pursuant to an annexation agreement acceptable to the City Council of the City of Gunnison and the petitioners.

INTRODUCED, READ, PASSED AND ADOPTED by the City Council of the City of Gunnison, Colorado, at a regular meeting held this 13th day of February, 2001.

(SEAL)

Mayor

City Clerk